

ENTERED

January 22, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

CHARLTON REED TIPTON,	§
	§
Petitioner,	§
VS.	§ CIVIL ACTION NO. 2:21-CV-11
	§
DIRECTOR OF THE TEXAS	§
DEPARTMENT OF CRIMINAL	§
JUSTICE- INTITUTIONS DIVISION,	§
	§
Respondent.	§

OPINION AND ORDER OF TRANSFER

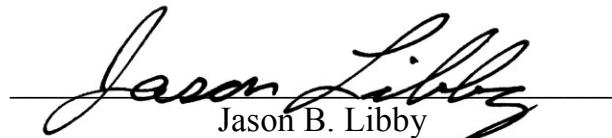
This is a civil action filed by a Texas state prisoner. Petitioner Charlton Tipton is currently incarcerated at the John B. Connally Unit in Kenedy, Texas, which is located in Karnes County. In his complaint, Petitioner challenges conditions relating to his confinement. Specifically, Petitioner alleges he, as a Native American, is not being permitted to grow long hair.

A civil action wherein jurisdiction is not founded solely on diversity of citizenship may be brought in (1) a judicial district where any defendant resides, if all defendants reside in the same state, or (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred. 28 U.S.C. § 1331(b). In addition, for the convenience of parties and witnesses, and in the interest of justice, a district court may

transfer any civil action to any other district or division where it might have been brought. 28 U.S.C. § 1404(a).

In this case, the events about which Petitioner complains occurred in Karnes County, Texas. None of the Defendants reside or are found in the Corpus Christi Division of the Southern District of Texas. Karnes County lies within the San Antonio Division of the Western District of Texas. 28 U.S.C. § 124(d)(4). Therefore, the interests of justice would be served by a transfer to the San Antonio Division of the Western District of Texas. Accordingly, it is **ORDERED** that this case be transferred to the United States District Court for the Western District of Texas, San Antonio Division. All pending motions are **DENIED as moot** subject to re-filing after the case is transferred. The Clerk of Court is directed to **CLOSE** this case.

ORDERED this 22nd day of January, 2021.



Jason B. Libby
United States Magistrate Judge